

R277. Education, Administration.

R277-301. Educator Licensing.

R277-301-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53E-6-201, which gives the Board power to issue licenses.

(2) This rule specifies the types of licenses and license areas of concentration available and the requirements and procedures for obtaining a license, required for employment as a licensed educator in the public schools of Utah.

R277-301-2. Definitions.

(1) "Accredited school" means a public or private school that:

(a) meets standards essential for the operation of a quality school program; and

(b) has received formal approval through a regional accrediting association.

(2) "Comprehensive Administration of Credentials for Teachers in Utah Schools" or "CACTUS" means the electronic file maintained on all licensed Utah educators including information such as:

(a) personal directory information;

(b) educational background;

(c) endorsements;

(d) employment history; and

(e) a record of disciplinary action taken against the educator.

(3) "Endorsement" means a designation on a license area of concentration earned through demonstrating required competencies established by the Superintendent that qualifies the individual to:

(a) provide instruction in a specific content area; or

(b) apply a specific set of skills in an education setting.

(4) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

(5)(a) "License areas of concentration" or "license area" means a designation on a license of the specific educational setting or role for which the individual is qualified, to include the following:

(i) Early Childhood;

(ii) Elementary;

(iv) Secondary;

(v) Educational Leadership

(vi) Career and Technical Education or "CTE";

(vii) School Counselor;

(viii) School Psychologist;

(ix) Special Education;

(x) Preschool Special Education;

(xi) Deaf Education;

(xii) Speech-Language Pathologist;~~and~~

(xiii) Speech-Language Technician;

(xiv) School Social Worker; and

(xv) Communication Disorders.

(6) "Licensing Jurisdiction" means the designated educator licensing authority in any foreign country or state of the United States of America and the Department of Defense Education Activity (DoDEA).

(7) "Renewal" means reissuing or extending the length of a license consistent with R277-500.

R277-301-3. Program Approval and Requirements.

(1) The Superintendent shall accept educator license recommendations from educator preparation programs that have applied for Board approval and have met the requirements described in this Rule R277-301 and the Standards for Program Approval established in:

- 59 (a) Rule R277-504;
60 (b) Rule R277-505; or
61 (c) Rule R277-506.
62 (2) The Superintendent may establish deadlines and uniform forms and procedures
63 for all aspects of program licensing approval.
64 (3) To be approved for license recommendation an educator preparation program
65 shall:
66 (a) have a physical location in Utah where students attend classes or if the program
67 provides only online instruction:
68 (i) have the program's primary headquarters located in Utah; and
69 (ii) be licensed to do business in Utah through the Utah Department of Commerce;
70 (b) include requirements designed to ensure that the educator is able to meet the
71 Utah Effective Educator Standards established in R277-530;
72 ~~[(c) include requirements, if the program offers content endorsement preparation,~~
73 ~~that are, at minimum, equivalent to the competency requirements for the endorsement as~~
74 ~~established by the Superintendent;]~~
75 (c) establish entry requirements, approved by the Superintendent, that are designed
76 to ensure that only high quality individuals enter the licensure program, which include
77 measures of:
78 (i) previous academic success;
79 (ii) disposition for employment in an educational setting; and
80 (iii) basic skills in reading, writing, and mathematics; and
81 ~~[(e) include a student teaching or intern experience that meets the requirements~~
82 ~~detailed in Rules R277-504, R277-505, and R277-506; and]~~
83 (d) include a pedagogical performance assessment meeting standards established
84 by the Superintendent for all new students enrolled in the program after January 1, 2020
85 in all license areas in which such an assessment is available.
86 (4) The Superintendent shall lead the approval review for any Board-approved
87 educator preparation program seeking to maintain or receive program approval.
88 (5) The Superintendent shall be responsible for:

89 (a) observing and monitoring the approval review process;
90 (b) reviewing subject specific programs to determine if the program meets state
91 standards for licensure in specific areas;
92 (c) reviewing program procedures to ensure that Board requirements for licensure
93 are followed; and
94 (d) reviewing licensure candidate files to determine if the program followed Board
95 requirements for licensure.
96 (6) After completion of the approval review site visit, a Board-approved educator
97 preparation program, working with the Superintendent, shall prepare and submit a
98 program approval request for consideration by the Board that includes:
99 (a) a program summary;
100 (b) approval review findings;
101 (c) program areas of distinction;
102 (d) program enrollment; and
103 (e) program goals and direction.
104 (7) If the program approval request is approved by the Board, the program shall be
105 considered Board-approved until the next scheduled approval review visit.
106 (8)(a) Notwithstanding Subsection (7), the Superintendent may place a program on
107 probation for:
108 (i) failure to meet program requirements detailed in applicable Board rules; [and] or
109 (ii) submission of inadequate or incomplete information in a report required under
110 this R277-301.
111 (b) The Board may revoke its approval of a probationary program that fails to meet
112 probationary requirements with at least one year's notice.
113 (9) If a new educator preparation program seeks Board approval or a previously
114 Board-approved educator preparation program seeks approval for additional license area
115 preparation and endorsements, the program shall submit an application to the
116 Superintendent including:
117 (a) information detailing the exact license areas of concentration and endorsements
118 that the program intends to award;

(b) detailed program requirement information[, including, if applicable, required course lists, course descriptions, and course syllabi for all courses that will be required as part of a program];

(c) detailed information showing how the program will ensure that the educator satisfies all standards in the Utah Effective Educator Standards established in Rule R277-530 and Professional Educator Standards established in Rule R277-515;

(d) information about program timelines and anticipated enrollment.

(10) The Board shall approve or deny applications for new educator preparation programs.

(11)(a) The Superintendent shall review and approve or deny applications from previously Board-approved educator preparation programs desiring Board approval for additional license areas and endorsements.

(b) The Superintendent may grant preliminary approval pending Utah State Board of Regents approval of a new program if the program is within a public institution.

(12) An educator preparation program seeking Board approval may apply to the Board for probationary approval for a maximum of three years contingent on the completion of the approval process.

(13) A Board-approved educator preparation program shall submit an annual report to the Superintendent by July 1 of each year, which shall include the following:

(a) student enrollment counts designated by anticipated license area of concentration and endorsement and disaggregated by gender and ethnicity;

(b) information explaining any significant changes to program requirements or content;

(c) the program's response to areas of concern or areas of focus identified by the Superintendent; and

(d) information regarding any program-determined areas of concern or areas of focus and the program's planned response.

(14) The Superintendent shall provide reporting criteria to Board-approved educator preparation programs regarding the annual report and designated areas of concern or

focus by January 31 annually.

(15) An individual that completes a Board-approved educator preparation program may be recommended for licensure within five years of program completion if the individual meets current licensing requirements.

(16)(a) If five years have passed since an individual completed a Board-approved preparation program, the individual may be recommended for licensure following review by the individual program.

(b) The preparation program officials shall determine whether any content or pedagogy requirement previously met meets current program standards and if additional requirements are necessary to recommend licensure.

(c) The individual shall complete all requirements established by program officials before receiving a license recommendation from the program.

R277-301-4. License Structure.

(1) Utah educator licenses include the following licenses:

(a) Associate educator license;

(b) Professional educator license; and

(c) LEA-specific educator license.

(2) All new Utah educator licenses shall include general, content knowledge, and pedagogical requirements.

(3) The Superintendent may only issue a single active Utah educator license to an individual.

(4) An educator license shall include at least one area of concentration.

(5) License areas of concentration and endorsements shall have a designation of:

(a) associate;

(b) professional; or

(c) LEA-specific.

(6) An associate educator license may only include associate or LEA-specific license areas of concentration and endorsements.

(7) An LEA-specific educator license may only include LEA-specific license areas of concentration and endorsements.

(8) The Superintendent may establish deadlines and uniform forms and procedures for all aspects of licensing.

(9) The Superintendent shall review, adopt, and establish passing standards for all assessments required for educator licensing.

(10)(a) All licenses expire on June 30 of the year of expiration and may be renewed any time after January 1 of the same year.

(b) Responsibility for license renewal rests solely with the licensee.

R277-301-5. Associate Educator License Requirements.

(1) The Superintendent shall issue an associate educator license to an individual that applies for the license and that meets all requirements in this Section R277-301-5.

(2) An associate educator license, license area, or endorsement is valid for ~~three~~ two years.

(3) The Superintendent may only renew an associate educator license if:

(a) the individual has less than ~~three~~ two years of experience in a Utah public or accredited private school; or

(b) the individual is employed by a Utah public or accredited private school and the employer has requested a one year extension of the license.

(4) The general requirements for an associate educator license shall include:

(a) completion of a criminal background check including review of any criminal offenses and clearance in accordance with Rule R277-214;

(b) completion of the educator ethics review described in R277-500 within one calendar year prior to the application; and

(c) one of the following:

(i) a bachelor's degree or higher from a regionally accredited institution;

(ii) current enrollment in a university-based educator preparation program that will result in a bachelor's degree or higher from a regionally accredited institution; or

(iii) skill certification in a specific CTE area as established by the Superintendent.

(5) The content knowledge requirements for an associate educator license shall include:

(a) for an elementary license area, passage of an elementary content knowledge test, approved by the Superintendent, that distinctly measures content in:

(i) mathematics;

(ii) reading/language arts;

(iii) social studies; and

(iv) science;

(b) for a secondary or CTE license area with a content endorsement, one of the following:

(i) passage of a content knowledge test approved by the Superintendent, where available;

(ii) a bachelor's degree or higher with a major in the content area from a regionally accredited university; or

(iii) enrollment in a program that will result in a degree described in Subsection [ii] (5)(b)(ii); and

(c) for all other license areas, enrollment in a Board-approved educator preparation program.

(6) ~~The pedagogical~~ Additional requirements for an associate educator license shall include:

(a) successful completion of professional learning modules created or approved by the Superintendent in:

(i) educator ethics;

(ii) classroom management and instruction; ~~and~~

(iii) basic special education law and instruction;

(iv) the Utah Effective Teaching Standards described in R277-530; or

(b) enrollment in a Board-approved educator preparation program.

(7) An individual holding a professional educator license may receive an associate

license area or endorsement in additional areas if all the requirements of this section are met.

(8) A license applicant who has received or completed license preparation activities inconsistent with this rule may present compelling information and documentation for review and approval by the Superintendent to satisfy the associate educator license requirements.

(9) The Superintendent shall designate a panel of at least three Board staff members to review an appeal made under subsection (8).

(10) An LEA that employs an individual that holds an associate educator license shall develop a personalized professional learning plan designed to support the educator in meeting the requirements for a professional educator license ~~no later than 60 days after beginning work in the classroom,~~ ~~[within the first 60 days of employment,]~~ which shall:

(a) be provided to the Superintendent upon request;

(b) include a formal discussion and observation process ~~[within the first]~~ no later than 30 days after beginning work in the classroom ~~[of employment];~~ and

(c) consider:

(i) previous education related experience; and

(ii) previous educational preparation activities.

(11) An educator with an associate educator license may upgrade to a professional educator license at any time prior to expiration of the associate educator license if the educator meets all requirements of Section R277-301-6.

R277-301-6. Professional Educator License Requirements.

(1) The Superintendent shall issue a professional educator license to an individual that applies for the license and meets all requirements in this Section R277-301-6.

(2) A professional educator license, license area, or endorsement is valid for five years.

(3) The general requirements for a professional educator license shall include:

(a) all general requirements for an associate educator license under Subsection

R277-301-5(4); and

(b) one of the following:

(i) a recommendation from a Board-approved educator preparation program;

(ii) a recommendation from a Utah LEA;

(iii) a recommendation from an accredited private school in Utah; or

(iv) a standard educator license in the area issued by a licensing jurisdiction outside of Utah that is currently valid or is renewable consistent with Section 53E-6-307.

(4) The content knowledge requirements for a professional educator license shall include:

(a) all content knowledge requirements for an associate educator license under Subsection R277-301-5(5); and

(b) demonstration of all content knowledge competencies as established by the Superintendent.

(5) The pedagogical requirements for professional educator license shall include:

(a) demonstration of all pedagogical competencies as established by the Superintendent; and

(b) passage of a pedagogical performance assessment meeting standards established by the Superintendent, where available.

(6) An individual holding a Utah level 1, level 2, or level 3 educator license on January 1, 2020 is considered to have met the pedagogical requirements described in Subsection (5).

(7) An individual holding a Utah level - APT educator license that is employed by a Utah LEA and an individual enrolled in ARL or a Board-approved educator preparation program on January 1, 2020 may meet the content knowledge and pedagogical requirements described in this Section R277-301-6 by completing all requirements of the applicable program.

(8) An individual holding a Utah professional educator license and license area in early childhood education, elementary, secondary, CTE, special education, or deaf education is considered to have met the pedagogical performance assessment

requirement of Subsection (5)(b) if applying to add any of the license areas in the subsection.

(9) A license applicant who has received or completed license preparation activities inconsistent with this rule may present compelling information and documentation for review and approval by the Superintendent to satisfy the professional educator license requirements.

(10) The Superintendent shall designate a panel of at least three Board staff members to review an appeal made under Subsection (9),

R277-301-7. Educator Licenses Issued by Licensing Jurisdictions Outside of Utah.

(1)The Superintendent shall review applications for a Utah educator license for individuals holding educator licenses issued by licensing jurisdictions outside of Utah to determine if the applicant has met the requirements for a Utah license under this rule.

(2) The Superintendent shall accept scores from an applicant that meet the Utah standard for passing on assessments from licensing jurisdictions outside of Utah that utilize the same assessment as Utah as meeting the requirements of this rule.

(3) The Superintendent shall accept scores from an applicant on reasonably equivalent content knowledge or pedagogical performance assessments utilized by licensing jurisdictions outside of Utah that meet the passing standard of that jurisdiction as meeting the requirements of this rule.

(4) The Superintendent shall accept demonstrations of content knowledge and pedagogical competencies from an applicant utilized by licensing jurisdictions outside of Utah that are reasonably equivalent to Utah competencies.

(5) Individuals with 4 or more years of successful experience in a public or accredited private school under a standard license issued by another jurisdiction shall be considered to have met both the content knowledge and pedagogical assessment requirements in the areas and subjects taught.

R277-301-8. LEA-specific Educator License Requirements

(1) The Superintendent ~~shall~~ may issue an LEA-specific educator license to an individual if:

(a) the LEA requesting the LEA-specific educator license has an adopted policy, which includes:

(i) educator preparation and support:

(A) as established by the LEA; and

(B) aligned with the Utah Effective Teaching Standards described in R277-530;

(ii) criteria for employing educators with an LEA-specific license; and

(iii) compliance with all requirements of this Rule R277-301;

(b) an LEA governing board applies on behalf of the individual; and

(c) ~~[for whom an LEA governing board applies on behalf of and that]~~ the individual meets all the requirements in this Section R277-301-8.

(2)(a) Except as provided in Subsection (2)(b), an LEA governing board may request an LEA-specific educator license for a license area described in Subsection R277-301-2(5).

(b) An LEA may not request an LEA-specific educator license for a license area in:

(i) Special Education; or

(ii) Preschool Special Education.

~~[(2)](3)~~ An LEA-specific license, license area, or endorsement is valid only within the requesting LEA.

~~[(3)](4)~~ An LEA-specific license, license area, or endorsement is valid for one, two, or three years in accordance with the LEA governing board's application.

~~[(4)] An LEA-specific license area in special education or preschool special education may not be renewed.~~

~~[(4)](5)~~ The first renewal of an LEA-specific educator license, license area, or endorsement shall be approved or denied by the Board.

~~[(5)](6)~~ The Board may require that subsequent renewals be approved by the Board on a case by case basis.

~~[(6)] An LEA or accredited private school may request the Superintendent terminate~~

~~an LEA-specific license at any time in accordance with the LEA or accredited private school's policies adopted in accordance with Subsection R277-301-9(5)(c).]~~

[(6)](7) An LEA-specific license expires immediately if the educator's employment with the LEA that requested the license ends.

[(7)](8) The general requirements for an LEA-specific educator license shall include:

(a) completion of a criminal background check including review of any criminal offenses and clearance in accordance with Rule R277-214;

(b) completion of the educator ethics review described in Rule R277-500 within one calendar year prior to the application; and

(c) approval of the request by the LEA governing board in a public meeting no more than 60 days prior to the application.

[(8)](9) The content knowledge and pedagogical requirements for an LEA-specific educator license shall be established by the LEA governing board.

~~[(9)(a) At the request of an accredited private school, the Superintendent shall act as the governing board for the school for the purpose of requesting an LEA-specific license.~~

~~[(b) Consistent with Utah law, the Superintendent may require the accredited private school to pay a fee to cover the cost of the service under Subsection (9)(a).]~~

R277-301-9. Requirements for LEAs

~~[(1)An LEA employing licensed educators in Utah shall adopt policies that include:~~

~~(a) mentoring for new educators that includes:~~

~~(i) providing a trained mentor educator and annual mentoring plan for at least three years for:~~

~~(A) all educators holding an associate educator license or an LEA-specific educator license; and~~

~~(B) educators holding a professional educator license with less than three years of experience;~~

~~(ii) where possible, the mentor shall hold a professional educator license, perform~~

substantially the same duties as the educator, and have release time to work as a mentor;

and

(iii) the mentor shall assist the educator to meet the Utah Effective Educator Standards established in Rule R277-530, but may not serve as an evaluator of the educator;

(b) formal professional learning plans for individuals holding an associate educator license area or endorsement and LEA support in meeting the requirements for a professional license area, or endorsement; and

(c) ongoing training on educator ethics and special education for all individuals holding an LEA-specific license;]

(1) An LEA shall provide a mentoring program that provides a trained mentor educator and annual mentoring plan for [at least three years for]:

(a) [all] any educators holding an associate educator license or an LEA-specific educator license; and

(b) any educator holding a professional educator license with less than three years of experience.

(2) A trained mentor educator under Subsection (1) shall hold a professional educator license and shall, where possible:

(a) perform substantially the same duties as the educator with release time to work as a mentor; or

(b) be assigned as an instructional coach or [a similar] equivalent position.

(3) A trained mentor educator under Subsection (1) shall assist the educator to meet the Utah Effective Educator Standards established in Rule R277-530, but may not serve as an evaluator of the educator.

(4) A mentoring program under Subsection (1) shall include:

(a) a formal professional learning plan and LEA support in meeting the requirements of a professional license area; and

(b) if the educator holds an LEA-specific educator license, on-going training on educator ethics and special education.

~~[(5) An LEA or accredited private school that requests LEA-specific licenses shall adopt a policy, which includes:~~

~~(a) criteria for employing educators with an LEA-specific license; and~~

~~(b) compliance with all requirements of this Rule R277-301.~~

~~[(c) criteria and procedures to be employed if the LEA requests early termination of an LEA-specific license.]]~~

(5) An LEA ~~[or accredited private]~~ school that requests LEA-specific licenses, license areas, or endorsements shall prominently post the following information on each school's website:

(a) disclosure of the fact that the school employs individuals holding LEA-specific educator licenses, license areas, or endorsements;

(b) the percentage of the types of licenses, license areas, and endorsements held by educators employed in the school based on the employees' FTE in CACTUS; and

(c) a link to the Utah Educator Look-up tool provided by the Superintendent in accordance with Subsection R277-515-7(6).

~~[(6)(a) An LEA shall recognize a STEM endorsement as a minimum of 16 semester hours of university credit toward advancement on the LEA's salary schedule.~~

~~(b) The Superintendent shall determine the competencies required for a STEM endorsement.~~

~~(c) The Superintendent shall determine which content area endorsements qualify as STEM endorsements.]~~

R277-301-10. Superintendent Annual Report to the Board.

The Superintendent shall annually report to the Board on licensing, including:

(1) educator licensing;

(2) educator preparation; and

(3) equitable distribution of teachers.

R277-301-11. Effective Date.

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DRAFT 7
May 4, 2018

430 (1) This rule will be effective beginning January 1, 2020.

431 (2) This rule will supersede Rule R277-502 on January 1, 2020.

432 **KEY: professional competency, educator licensing**

433 **Date of Enactment or Last Substantive Amendment: 2018**

434 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53A-6-104; 53A-1-401**